

NORTH CAROLINA INDUSTRIAL COMMISSION

I.C. Nos. TA-30082 through TA-30084, ALTON SHARAN SAPP, Plaintiff v. MATTHEWS POLICE DEPARTMENT and TOWN OF MATTHEWS, Defendants.

Order by ROBERT J. HARRIS, Senior Deputy Commissioner

FILED: May 9, 2022

These three tort claims are before the undersigned on the Tort Claim Affidavits and Petitions to Sue as an Indigent Person filed by Plaintiff on May 4, 2022. Plaintiff does not name any agency of the State of North Carolina as a defendant in any of these three tort claims. Rather, his allegations in all three of these tort claims are set out entirely against the Matthews Police Department and Town of Matthews, based entirely on alleged acts and/or omissions by their employees and agents.

A P P E A R A N C E S

Plaintiff: No Counsel of Record. sapp.alton719@gmail.com

438 Lawson Road
Waynesboro, GA 30830

Defendants: No Counsel of Record.

Pursuant to N.C. Rule of Civil Procedure 12(h)(3), and based upon the foregoing and based upon a careful review of the Tort Claim Affidavits filed by Plaintiff in all three of these tort claims, and it appearing, pursuant to N.C. Gen. Stat. § 143-291, that the Industrial Commission does not have jurisdiction over any of these three tort claims, IT IS HEREBY ORDERED that each and every one of these three tort claims is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's Petitions to Sue as an Indigent Person are disapproved.

No costs are assessed at this time.

*Proof of Filing
and Service of Process
to qualified entity to
accept process on behalf
of defendant.*



ROBERT J. HARRIS
SENIOR DEPUTY COMMISSIONER

NORTH CAROLINA INDUSTRIAL COMMISSION
DOBBS BUILDING
430 NORTH SALISBURY STREET
RALEIGH, NORTH CAROLINA 27611

N.C. Gen. Stat. § 143-292 TORT CLAIMS

ATTACHED HERETO IS A COPY OF THE DECISION AND ORDER IN YOUR CASE PREVIOUSLY HEARD BY THE COMMISSION. THE LAW (G.S. § 143-292) ALLOWS ANY PARTY FIFTEEN (15) DAYS FROM THE DATE OF RECEIPT OF THIS OPINION AND AWARD WITHIN WHICH TO APPEAL IN WRITING FOR REVIEW IN RALEIGH, NORTH CAROLINA, BY THE FULL COMMISSION.

THE NOTICE OF APPEAL IS TO BE FILED WITH THE COMMISSION VIA ELECTRONIC DOCUMENT FILING PORTAL PURSUANT TO 11 NCAC 23B .0104.

PARTIES WHO DO NOT HAVE LEGAL REPRESENTATION MAY MAIL THE NOTICE TO THE ATTENTION OF THE CLERK'S OFFICE, NORTH CAROLINA INDUSTRIAL COMMISSION 1236 MAIL SERVICE CENTER, RALEIGH, NORTH CAROLINA 27699-1236.

SHOULD AN APPEAL NOT BE FILED WITH THE COMMISSION WITHIN THE TIME PRESCRIBED BY LAW, THE ATTACHED OPINION AND AWARD SHALL BE FINAL AND BINDING.

THE ABOVE NOTICE ALSO APPLIES TO A DECISION AND ORDER OR ORDER OF DISMISSAL WITH PREJUDICE.

**NORTH CAROLINA INDUSTRIAL COMMISSION
DEPUTY COMMISSIONER SECTION**

Date: May 9, 2022

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the attached document was sent to the following parties and persons on the date and in the manner specified below.

**I.C. Nos. TA-30082 through TA-30084, ALTON SHARAN SAPP, Plaintiff v.
MATTHEWS POLICE DEPARTMENT and TOWN OF MATTHEWS,
Defendants.**

Plaintiff: ☒ Email: sapp.alton719@gmail.com

☐ First-Class Mail:

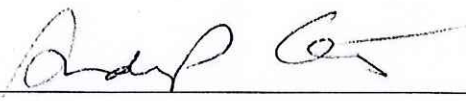
☒ Certified Mail: Alton Sharan Sapp
70151730000088235549 438 Lawson Road
Waynesboro, GA 30830

Defendant(s): ☐ Email:

☐ Certified Mail

☐ First-Class Mail:

Certified By:



Sandra P. Cortes
Senior Legal Assistant
Telephone: 919-807-2529
Email: Sandra.cortes@ic.nc.gov



**PRIORITY
MAIL
EXPRESS®**



EJ 920 797 535 US

CUSTOMER USE ONLY

FROM: (PLEASE PRINT)

PHONE ()

Alton Sharan Sapp
438 Lawson Road
Waynesboro, GA
30430

DELIVERY OPTIONS (Customer Use Only)

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

- ☐ No Saturday Delivery (delivered next business day)
☐ Sunday/Holiday Delivery Required (additional fee, where available)
*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT)

PHONE ()

Matthews Police Department
1201 Crews Drive
Matthews, NC 28105
ZIP+4® (U.S. ADDRESSES ONLY)
28105-

- For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
■ \$100.00 Insurance Included.

PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No.

Federal Agency Acct. No. or Postal Service™ Acct. No.

ORIGIN (POSTAL SERVICE USE ONLY)

☐ 1-Day ☒ 2-Day ☐ Military ☐ DPO

PO ZIP Code	Scheduled Delivery Date (MM/DD/YY)	Postage	
		\$	
Date Accepted (MM/DD/YY)	Scheduled Delivery Time	Insurance Fee	COD Fee
5/04/22	6:00 PM	\$	\$
Time Accepted	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Return Receipt Fee	Live Animal Transportation Fee
11:00		\$	\$
Special Handling/Fragile	Sunday/Holiday Premium Fee	Total Postage & Fees	
\$	\$		
Weight	<input checked="" type="checkbox"/> Flat Rate <input type="checkbox"/> Acceptance Employee Initials		
lbs. ozs.		\$	

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	

LABEL 11-B, MAY 2021

PSN 7690-02-000-9996

EJ 920 797 535 US

PEEL FROM THIS CORNER



**PRIORITY
MAIL
EXPRESS®**



EJ 920 797 549 US

CUSTOMER USE ONLY

FROM: (PLEASE PRINT)

PHONE ()

Alton Sharan Sapp
438 Lawson Road
Waynesboro, GA 30330

DELIVERY OPTIONS (Customer Use Only)

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

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☐ Sunday/Holiday Delivery Required (additional fee, where available)
*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT)

PHONE ()

Town of Matthews
232 Matthews Stations
Street
Matthews, NC 28105
ZIP + 4® (U.S. ADDRESSES ONLY)
28105-____

- For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
■ \$100.00 Insurance Included.

PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No.

Federal Agency Acct. No. or Postal Service™ Acct. No.

ORIGIN (POSTAL SERVICE USE ONLY)

☐ 1-Day ☒ 2-Day ☐ Military ☐ DPO

PO ZIP Code	Scheduled Delivery Date (MM/DD/YY)	Postage	
		\$	
Date Accepted (MM/DD/YY)	Scheduled Delivery Time	Insurance Fee	COD Fee
5/04/22	<input type="checkbox"/> 6:00 PM	\$	\$
Time Accepted	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Return Receipt Fee	Live Animal Transportation Fee
11:00		\$	\$
Special Handling/Fragile	Sunday/Holiday Premium Fee	Total Postage & Fees	
\$	\$		
Weight	<input checked="" type="checkbox"/> Flat Rate <input type="checkbox"/> Acceptance Employee Initials		
lbs. ozs.		\$	

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt (MM/DD/YY)	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

LABEL 11-B, MAY 2021

PSN 7690-02-000-9996

PEEL FROM THIS CORNER